

5533. Adulteration of tomato pulp. U. S. * * * v. 50 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7157. I. S. No. 10930-1. S. No. C-419.)

On January 15, 1916, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato pulp, remaining unsold in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped on December 1, 1915, by A. E. Kidwell & Co., Baltimore, Md., and transported from the State of Maryland into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ruxton Brand Tomato Pulp made from tomatoes and tomato trimmings. * * * Mantik Packing Company, Highlandtown, Md."

Adulteration of the article was alleged in the libel for the reason that it contained a partially decomposed vegetable product.

On April 25, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*